

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NORMAN CUMBERLANDER,

Petitioner,

v.

**CASE NO. 2:08-CV-683
CRIM. NO. 2:05-CR-147(1)
JUDGE SMITH
MAGISTRATE JUDGE KING**

UNITED STATES OF AMERICA,

Respondent.

OPINION AND ORDER

On December 9, 2009, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

s/George C. Smith
GEORGE C. SMITH
United States District Judge